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Subject: The Ministry of Construction as Building Authority

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XX. The Ministry of Construction as Building Authority

The leading role of the Ministry of Construction and Building Materials Industry is the result not only of its function as the largest contractor in construction work, but also of work performed as a lawful, public building authority. Similarly, as in the implementation of investment plans, the Ministry is the largest but not the only contractor, so as a public building authority, it is the most important of several governmental offices.

The problem of building authorities is not settled in Poland and will have its final solution only after the new building law is passed by the parliament. Discussions have gone on since 1955 because there are various difficulties such as ownership problems, rights of individual private owners in relation to local municipal and national government authorities, and also disagreements about competence between industrial ministries and the Ministry of Construction and Building Materials Industry. At present the following building authorities exist in Poland:

- Ministry of Construction and Building Materials Industry (MBPMB)
- Committee for Urbanization and Architecture (KUaA)
- Ministry of Communal Economy (MGK)
- All industrial ministries in matters concerning the construction of new factories
- Ministry of Agriculture in matters concerning some aspects of rural construction
- State Economic Planning Commission

There is still some confusion in spite of continuous reorganizations and efforts to separate the functions of "contracting and administration of the construction industry" from a "building authority", whose main duty is the defence of the interests of the population and of the public-legal interest.

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The present dismemberment of building authority hampers the development of the building industry. According to Trybuna Ludu in an article written by diploma engineer Wladyslaw Andrzejewski, on 13 February 1959, page 4, the III Congress of Polish Engineers and Technicians which took place from 24 to 26 February 1957 made the following resolution:

...." One of the reasons why the existing social needs are not satisfied by the construction industry is the lack of a supreme organ of state authority which would uniformly and entirely direct the building policy in the country... For this reason the Congress submits to the Party, Sejm and Government a proposal...to make the office of the Minister of Construction responsible for the entire national construction policy including the preparation of long term plans and development, as well as supreme supervision of the realization of its tasks; i.e. designing and implementation" ... This appeal was not approved by the government. When on 22 March 1957, the Ministry of Construction was merged with the Ministry of Building Materials Industry, the above mentioned changes were not introduced. Later, on 20 September 1957, the government issued a directive which fixed the scope of responsibilities of the new Ministry and, in February 1959, a detailed statute of the new ministry was issued, but even at this time the problems of building authority were not settled.

The Ministry of Construction and Building Materials Industry is responsible before the Sejm and Government not only for realization of investments defined in the annual and long range plans, but also for:

- a. the introduction of technical engineering progress
- b. the observance of rational policy of building materials
- c. the preparation of trained cadres
- d. the lowering of building costs
- e. the preparation of further expansion and development of the building industry

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The above five tasks pertain to construction policy and are much wider in scope than the implementation of plans ordered by the State Economic Planning Commission and government.

For example, in the development of the chemical industry the Ministry of Construction represents the needs of the entire building industry for artificial, plastic flooring materials. Although the Ministry of Construction implements only about 35% of the entire construction-assembly production in the country, it is responsible for the policy of the entire construction-assembly production in Poland, in all sectors. Nevertheless even these rights which are included in the Ministry's statute are not executed by the present minister Pietrusiewicz, who avoids all controversies with industrial ministries and follows a very cautious policy. He avoids additional tasks, implementing only what he must and what he is ordered to do, and is ready to make concessions and to restrict his construction policy within the limits of its own contracts and own implementation.

The Ministry of Construction has also the right to fix norms and standards of construction. It issues technical instructions concerning designs, calculations, safety of foundations, etc. which are obligatory for all construction-assembly enterprises, not only those subordinated to the Ministry of Construction. The institutes subordinated to the Ministry of Construction are obliged to carry on research and studies for all types of construction. But even in the field of "normalization", the Ministry of construction is restricted mainly by the fact that only a small number -- about 25%-- of designing offices-- mainly in general construction-- are subordinated to the Ministry of Construction, because all industries have their own designing bureaus.

In East Germany, for example, about 80% of the designing bureaus are subordinated to the Ministry of Construction and, having designing under his

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control, the Ministry sets the engineering construction policy for the entire country and for all industries. The industrial ministries in East Germany have only technical drafting bureaus, while in Poland, the designing bureaus of industrial ministries have their own architectural-statistics sections and work out the design of the entire project, and their construction-assembly work is not always on the highest level. Although the Ministry of Construction has large designing bureaus for industrial construction, the industrial investors prefer to use their own designing bureaus. This results in a confusing and complicated situation.

The Ministry of Construction is responsible for technical progress in the entire construction industry; for example, the foundations for a metallurgical furnace should be designed according to the latest standards of technical science but in the office where the method of calculation is decided, i.e., at the Designing Bureau "Biprohut" which prepares designs for metallurgical plants, the Ministry of Construction has no influence whatsoever. "Birprohut" is subordinated to the Ministry of Heavy Industry. Thus the foundations are likely to be twice as large as necessary and too heavy. The suggestion of the III Congress of Engineers and Technicians mentioned above was that the Ministry of Construction should be the lawful authority to approve designs from the point of view of their conformity with instructions, technical progress, method of calculation, and economy in money and materials. The minister, Pietrusiewicz, does not fight for this and as a result, everything continues as before.

This situation exists not only within industrial construction, but also in general and housing construction where the most important part of projects, namely the designs of typical houses, schools, hospitals, etc., are approved not by the Ministry of Construction but by the Committee for Urbanization and Architecture.

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Therefore there is no uniform technical policy and no uniform building authority. In the USSR there is such^a coordinating authority -- "GOSSTROY", and in Czechoslovakia a "Committee for Construction Matters". It is true, however, that [] this coordination of technical policy in construction industry in the USSR is also not very efficient.

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In 1956 there was also in Poland a plan to organize a committee for construction matters but it was dropped because there were too many offices and committees already. It was then decided that the Ministry of Construction should act as the coordinating authority. As a further step in this direction the Ministry of City and Settlement Construction was merged with the Ministry of Industrial Construction to form the Ministry of Construction and the new minister, Eugeniusz Szyr, started the fight to get the total authority for his ministry but he had to resign after four months and the new minister who came in 1957 does not seem to want this authority.

In addition, at all presidia of the people's councils there are construction supervision sections (Wydział Nadzoru Budowlanego) which act as a police supervisory board issuing permits for construction, fighting against "Wild building" etc. They are subordinated administratively to the people's councils and functionally to the Committee for Architecture and Construction. At the county level, these sections are headed by county architects, and at the voivodship level by voivodship architects. The last are selected by the chairman of the Committee for Urbanization and Architecture.

In the past these sections dealt only with construction in cities and settlements, while construction in villages was governed by the agricultural sections of the peoples' councils. At present, 1959, a reform of this system is underway and the construction supervision sections are to be in charge of both towns and villages in their counties.

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The next higher building authority is the Ministry of Communal Economy, to which the administrations of workers settlements (ZOR) are subordinated. Because ZOR prepares the program, finances the construction of settlements and decides, in cooperation with the people's councils, the location of buildings and settlements, and approves, as a substitute investor, the designs of housing projects, it has its own designing bureaus and its own investment supervision service. For this reason ZOR's influence on housing and settlement construction is very strong, and although it does not possess much formal authority its influence ^{the} is strongest here because it provides the money.

The Ministry of Communal Economy is also responsible for general construction, i.e. for private housing construction implemented with and without the state's financial aid. This entire branch is supervised by the Ministry of Communal Economy. A certain amount of building materials for general construction is allocated by the State Economic Planning Commission to the Ministry of Communal Economy ^{which} in turn ^{allots} ~~allocated~~ them to the tenants' housing cooperatives. The examination of the list of future members of these cooperatives is made, in cooperation with the Union of Housing Cooperatives, by the local peoples councils. Disagreements are decided by the Ministry of Communal Economy. Finally the Ministry of Communal Economy ~~is~~ allocates the credits and funds for the preparation of building sites (water, gas, electricity, sewers) and for this reason has a decisive influence on housing construction policy in towns.

As it is seen the network of the building authorities is very complicated. No wonder that this division of responsibilities is the source of many difficulties for an individual building a house and also, for state investments, is the cause of various controversies concerning responsibilities between ministries, between the Ministry of Construction and industrial ministries, between the investor and the Committee for Urbanization and Architecture and Ministry of Communal Economy and

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between ministries and the local authorities. The State Economic Planning Commission and its departments for Localization and Communal Economy and the Main Commission for the Evaluation of Investment Projects (GKOPI) serve as final arbiters in these disputes.

GKOPI is another building authority concerned with norms, standards and designing instruction. It deals mainly with approval of industrial projects and supervises the designing bureaus in industrial ministries. But it also interferes in settlement projects and in social-cultural construction, duplicating the function of the Committee for Urbanization and Architecture.

Summing up, it can be stated that there is much parallelling of interests and responsibilities in the organization of building authorities. The functions of:

The Ministry of Construction and Building Materials Industry,

The Committee of Urbanization and Architecture,

The Ministry of Communal Economy and Administration of Workers' Settlements,

The State Economic Planning Commission, mainly its Main Commission for the Evaluation of Investment Projects and Departments of Localization and Local Economy,

are overlapped and duplicated.

The confusion is increased by the fact that since 1957 the functions of the building authority are being decentralized by the transfer of some authority to the people's councils. At present this action only complicates the situation in this intermediate period because both the central authorities as well as the local people's councils quarrel among themselves.

Industrial investments are a separate problem because the strong and favored industrial ministries do not recognize the local authorities, do not pay any attention to ^{the} Committee for Urbanization and Architecture or to the Ministry of Construction and Building Materials Industry and listen only to the State Economic

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Planning Commission. This chaos is caused by the faulty organizational set up and increased by the fact that even ^{the} partial settlement which exists on paper is spoiled by the passiveness and timid policy of the Ministry of Construction, by the weakness of the Committee for Urbanization and Architecture and by transgressions of the Administrations~~/~~ for Workers Settlements beyond its rights in implementing its policy from the position of power as the financ~~/~~er. Private citizens who want to build houses are those most affected by this bad setup.

The authority possessed by the Ministry of Agriculture in relation to construction in rural areas is declining and will be taken over by the peoples' councils, with the exception of state agricultural farms where the Ministry of Agriculture will still have some rights concerning construction policy.

Finally it should be mentioned that there are restricted areas under the jurisdiction of the Ministry of National Defence and the Ministry of Internal Affairs, among other frontier and border areas, where the building authorities mentioned above have no say. Also, the Ministry of Transportation has autonomous power over the grounds belonging to railways.

This situation will probably continue. The only improvement which could be expected is that as the decentralization will continue, and in the next five years the people's councils will take over most of the rights of the building authority, and being much closer to the local problems, they will be able to perform the functions of a building authority a little better.

In spite of the proliferation of authorities, there are some fields which are not supervised by any building authority. There is no industrial-building authority which supervised the industrial investments from the point of view of safety and hygiene, ventilation, clearing and purification of residues and waste, etc. As a result of this, many mistakes were made in this field. The control of sewers and purification of water was assigned to the Ministry of

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Shipping and Water Economy in 1959 and by this an additional authority was added to the field of industrial construction.

As one can see there is no clear conception about the problem of building authority. All past experiments failed to get good results because they did not apply the only method which has worked, the prewar organization which existed in Poland and which is proven by long experience in the West.

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